

8/1

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/766,818	YOSHIDA, MASAHIRO	
	Examiner	Art Unit	
	Shih-wen Hsieh	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated March 28, 2006.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|---|

**SHIH-WEN HSIEH  
PRIMARY EXAMINER**

*S. Hsieh 4/3/06*

***Response to Amendment***

1. Claims 1-8 are allowed.

2. The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claims 1-8 is the inclusion of the limitation of the flow passage is formed as a sealed space except for portions connected to the discharging portion of said recovery means and to said ink retaining means, the flow passage being provided with an absorber while maintaining a gap between walls of the flow passage and the absorber and extending from the discharging portion to said ink retaining means. It is these limitations found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,123,408, "Ink-jet type image forming apparatus and ink suction pump used therein" issued to Ishize et al., 9/2000 teaches in their figs.5, 9, and 10 an ink suction pump (17a), which sucks ink from ink jet head through capping device (9), and discharges the ink through connection (18) to waste ink absorber (4b). There is an ink

absorber (sponge 18b) disposed inside the connector (18) functioned as a ink transfer member. The connector (18) in this invention is equivalent to the flow passage in the instant application, however, one of its terminals connected to the discharging portion of the recovery means is not sealed.

US 5,717,444, "Suction recovery device and ink jet recording apparatus using the same" issued to Sugimoto et al., 2/98 teaches in their figs. 8A, 9 and 16 an ink suction pump, a flow passage absorbing member (242) is disposed inside the cylinder flow passage (24b), one end of the flow passage absorbing member (242) is contacted with a waste ink absorbing member (37). The end of the flow passage in Sugimoto et al.'s case is actually an integral part of the ink suction pump.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

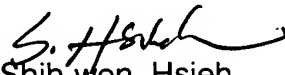
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S D. Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

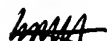
Art Unit: 2861

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SHIH-WEN HSIEH**  
**PRIMARY EXAMINER**

  
Shih-wen Hsieh  
Primary Examiner  
Art Unit 2861

SWH

  
April 13, 2006